

## **CITY COUNCIL MINUTES**

**March 23, 2009**

### **REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, March 23, 2009 at 6:00 p.m. with Mayor J. M. Holmes presiding and City Clerk Joseph G.R. Labrie recording the minutes.

#### **CALL TO ORDER**

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL:**

**Council Members Present:** Keith Nesbitt, Kevin Hanley, Bill Kirby, Bridget Powers, J. M. Holmes

**Council Members Absent:** Hanley not present for roll call; was in attendance for Closed Session and Council meeting.

**Staff Members Present:** City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Senior Planner Reg Murray, Fire Chief Mark D'Ambrogi, Public Works Director Jack Warren, Engineering Division Manager Bernie Schroeder, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Administrative Manager Joanna Belanger

By **MOTION** adjourn to a Closed Session under Government Code Section 54957:6 **MOTION: Kirby/Nesbitt/Approved by Voice**

- (1) **CONFERENCE WITH LABOR NEGOTIATORS**  
Agency Designated Representatives: Robert Richardson  
Employee Group: All Bargaining Units
- (2) **CONFERENCE WITH LEGAL COUNSEL-INITIATION OF LITIGATION**  
G.C. 54956.9(c)

One Case

#### **REPORT OUT OF CLOSED SESSION**

Council Members voted to authorize suit against Richard Besse & B & D Plumco for Delgado sewer spill and to authorize the City Manager to execute a retainer

with Hansen, Kohls, Jones, Sommers & Jacob, LLC to pursue the claim on a contingency basis.

## **PLEDGE OF ALLEGIANCE**

## **MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS**

Certificate of Appreciation awarded to Barry Stigers, Telecommunications Commissioner, for his years of service.

Mayor Holmes reminded the Council that the 15<sup>th</sup> and 16<sup>th</sup> of April are Legislative Action Days in Sacramento conducted by the League of California Cities.

Mayor Holmes announced that regularly scheduled City Council meeting on April 27, 2009 may be cancelled to a lack of a quorum. He said it is possible that three Council Members will be on the Cap-to-Cap trip.

## **AGENDA APPROVAL**

Mayor Holmes stated that Item 9, referring to rock climbing, will be rescheduled for April 13, 2009. Mayor Holmes also asked that Item 8, Telecommunications Report, be moved to follow "Public Comment."

## **CONSENT CALENDAR**

### **1. Minutes**

By **MOTION** approve City Council Minutes of February 17, 23 and March 4, 2009.

### **2. Diesel Smog Retrofit – Sewer System Maintenance Equipment**

By **RESOLUTION 09-27** authorize the purchase of replacement front and rear auxiliary engines and particle trap for the 1997 sewer vactor equipment.

### **3. Auburn Municipal Airport East Area Hangars Ground Lease – Auburn East Hangars Row "Alpha" Owners, an Unincorporated Association**

By **RESOLUTION 09-28** authorize the City Manager or his designee to execute a 40-year ground lease between the City of Auburn, a Municipal Corporation, and Auburn East Hangars Row "Alpha" Owners, an unincorporated association.

### **4. Quarterly Report of Investments – Quarter Ending December 31, 2008**

Receive, review and file the "City of Auburn Quarterly Investment Report" for the quarter ending December 31, 2008.

\*\*\*\*\* End of Consent Calendar \*\*\*\*\*

By **MOTION** approve the Consent Calendar. **MOTION: Nesbitt/Hanley/**  
**Approved 5:0**

5. **Public Comment**

Dan Sokol, 1330 Deerwood Place, Auburn, stated that he is hopeful that the City will be able to gain revenue with the move of a current tenant from the old City Hall building. He explained that when the bond was placed on the ballot to fund the restoration of the current City Hall, the Council promised that the old building would be sold and some of the funds used for the necessary furnishings for the new location. He said the decision to use it for rental income could afford an opportunity to increase the City's revenues. He suggested that it could be used to sell items not currently available in Auburn. He said it would provide sales tax income in addition to rental income.

Mayor Holmes advised that the Boys & Girls Club will be moving in June. He said that he and the City Manager have already been reviewing ways to utilize the building.

Doug Lang, CalTrans representative, stated that he is the Project Manager for a project on I-80. He provided an informational sheet to the Council and explained the project. He said a meeting will be held in April to provide the public with information regarding increased truck traffic and proposed detours. He said the project will go through the construction season of 2009.

**REPORTS**

8. **Telecommunications Commission**

Telecommunications Commission Chair Glenn Tonkin thanked Barry Stigers for all his work on the Commission.

Mr. Tonkin said that the cable franchise has been doing well. He said payments have been made on time and that subscribers have increased. He said there were some prior issues with a subscriber differential from the time Wave became the provider. He said the difference equates to almost \$10,000.00. He said meetings have been held and all parties involved are trying to resolve the issue. He said overall the Commission is getting

getting positive reports about the Wave franchise.

Mr. Tonkin provided the Council with an informational sheet explaining the digital transition that will be effective June 12, 2009. He explained that viewers frequently will not be able to view all the channels previously received due to "line of sight" technology. He suggested that possibly the City could post it on the website. Council Member Hanley agreed and thanked Mr. Tonkin for preparing the question and answer sheet.

He said Wave Broadband is expecting to announce a location for the public to be able to pay bills within the City.

All Council Members thanked Mr. Tonkin for his continued contribution to the City.

## **PUBLIC HEARING**

### **6. Auburn City Fire Department 2009 Strategic Reorganization Plan**

Fire Chief Mark D'Ambrogi introduced the item. He presented an overview of the reorganization plan for 2009 that included two revised job descriptions for volunteer firefighter and relief firefighter. He said the objectives of the plan are to: (1) keep the organizational focus on the duties of the fire department (2) maintain high levels of service (3) develop personnel knowledge, skills and abilities and (3) provide for succession planning. He said everything that is being done falls within the fiscal constraints of the allocation for the reorganization.

By **RESOLUTION 09-29** authorize the Fire Chief to implement the Auburn City Fire Department 2009 Strategic Reorganization Plan. **MOTION:**  
**Nesbitt/Hanley/Approved 5:0**

### **7. Relaxing Temporary Sign Regulations**

Senior Planner Reg Murray introduced the item. He explained that the Planning Commission and the Historic Design Review Commission brought the sign issue to the fore while discussing yearly priorities. He said, with consideration to the current economy, they wanted to help local businesses by relaxing some of the sign standards for a period of time. He explained that a program was created by staff and reviewed by the two Commissions. He said it provides the Community Development Director with prosecutorial discretion to temporarily relax enforcement as opposed to permanently revising the ordinance. The applicant will submit a no fee application to Community Development and the sign standards will be reviewed on a case-to-case basis. He said the program will be in effect for six months. After that time, Council will have the opportunity to review the program and

the program and decide whether or not to discontinue it.

Mayor Holmes suggested that there must be a measure by which success of the program could be determined. Community Development Director Wong explained that businesses are struggling and would like to add extra banners or specialty signs. He said that currently those businesses would be out of compliance and cited. He said the City would like a way to help the businesses by allowing additional signage.

Council Member Hanley said that six months did not seem to be a long enough period of time. He said with the current economic situation possibly a year should be allowed for the program. Council Member Powers agreed.

Council Member Kirby stated that he supported a year, but felt there should be a review of the program in six months.

Wayne Manning, Robie Drive, Auburn, spoke as a board member of Auburn Chamber of Commerce. He said the program would be a boost for businesses that need it.

Richard Sanborn, Auburn resident, said that businesses think that more signs will get them more business. He said that he does not like A-frame signs blocking the sidewalk, creating a hazard. He said people could sue the City and the City needs to take responsibility for that possibility. He said it creates difficulties for handicapped individuals.

Thomas Furtauer, Auburn business owner, stated that he favored a longer period than six months for the program.

By **RESOLUTION09-30** direct the Community Development Department to temporarily relax for one year the City of Auburn sign regulations related to temporary signs and report back to Council in six months. **MOTION:**  
**Hanley/Powers/Approved 5:0**

## **REPORTS**

### **8. Informational Reports from Committees/Commissions**

#### Telecommunications Commission

Item moved to follow Consent Calendar.

### **9. Rock Climbing in the Auburn State Recreation Area**

Item postponed to April 13, 2009

10. **2008-2009 Street Overlay Program**

Public Works Director Jack Warren stated that there is about \$103,000.00 in Regional Surface Transportation Planning (RSTP) funds, a federal program. The program requires the money to be spent on a federally classified roadway. He said that the City awaits Caltrans and Federal Highways Administration authorization. He said once it is authorized the City can advertise, which will most likely be in May, 2009.

11. **City Council Committee Reports**

Mayor Holmes said that several Council Members attended the Placer County Economic Development breakfast. He said reports on tourism were presented. He said some suggestions for the "Gold Country" were made to combine resources to market the area.

Mayor Holmes announced that transit funding through SACOG to replace buses is forthcoming.

Council Member Powers advised that the Economic Development Commission met and made some decisions regarding future expenditures. She announced that the Auburn Rotary Club will be serving food at the Endurance Capital Expo.

Council Member Kirby said that he attended a meeting with Placer County regarding the sewer.

**COUNCIL BUSINESS**

12. **Cooperative Agreement with California Department of Transportation for the Relinquishment of State Route 49**

Public Works Director Jack Warren explained that this item is a part of the Streetscape Plan. He said the City requested that CalTrans relinquish State Route 49 from just south of eastbound Interstate 80 on-ramp to Elm Avenue/High Street intersection. In turn the City would then relinquish Elm Avenue/High Street Intersection to just west of the Interstate 80 eastbound on-ramp. The relinquishment cooperative agreement states that the City of Auburn will accept a payment of up to \$150,000.00 to accept the relinquished facilities.

By **RESOLUTION 09-31** authorize the City Manager to sign the cooperative agreement for State Route 49 relinquishment. **MOTION:**  
**Nesbitt/Powers/Approved 5:0**

13. **Wastewater Treatment Plant Improvement Project**

Public Works Director Warren advised that the regional pipe line is still a long-term alternative. He asked for Council direction to proceed with the onsite project. He said (1) currently decreasing cost is in the City's favor and (2) the City is still under time constraints with the possibility of fines if deadlines are not met. He said the project does not qualify for economic recovery funding at this time. He said if the State Revolving funds were pursued, the construction season would be lost with no guarantee of funding. Mr. Warren suggested conventional funding.

Council Member Hanley asked if the Board of Supervisors has responded to the Council resolution regarding use of the Middle Fork Project. He said revenues would help finance the pipeline to Lincoln. Mr. Warren advised that no response has been received.

Council Member Nesbitt confirmed with Mr. Warren that the original estimate for repair of the plant has decreased by about \$2,000,000.00. He said it was an interesting coincidence that it is about the same number that Lincoln wanted for the City to buy into capacity.

In response to Council Members Powers' question, Mr. Warren advised that penalties will commence in March of 2011 if the City does not comply.

Council Member Kirby said he had a meeting with Supervisor Weygandt. He said that by projecting Middle Fork money over a five-year period, Supervisor Weygandt felt there would be money to loan at a low rate to a regional project funding source. He said even with a funding source there are other issues to be considered. Since the County has not yet made a decision, it is difficult for the City to make decision without knowing what the County plans to do. He asked what the cost to the County would be with the City participating in the plan. Mr. Warren answered that it would be up to \$150,000,000.00.

Jim Bennett, Auburn resident, stated that the City can go for conventional funding or SRF. He said he would like to know the price difference.

Bob Snyder, 100 Marina Avenue, Auburn, stated that he wanted to share some observations with the Council. He said he served four years on the Regional Wastewater Authority. He said there is a staff bias toward maintaining the status quo. He said there is a level of distrust between agencies. He said that is an impediment to regional cooperation. He said consideration of the value to the City regarding water reduction or annexation, moving the district lines north, has never been presented by staff. He said staff has chosen the course of least resistance. He said it may be the cheapest alternative at this time, but not the cheapest in long

run. He said this is not a jurisdiction problem; it is a watershed problem. He said the opportunity to use Middle Fork monies, if the City chooses the "stay-at-home" solution, will not be given to the City.

Dan Sokol, Auburn resident, disagreed with Mr. Snyder. He said he believes the action the Council is taking is correct. He said there are uncertainties in both alternatives, but much greater with the regional plan.

Richard Sanborn, Auburn resident, said the regional plan would be very expensive and largely funded by taxpayers. He said the developers would benefit from it. He said the City would not benefit from it since development will be outside of the City. He said it would change the environment in which we live.

Mayor Holmes clarified that part of what is being asked of the Council is to advertise for bids to construct onsite improvements. Mr. Warren said it is a four to six week process. Mayor Holmes said he is supportive of the regional solution but, based on Lincoln's financial situation, its estimates are not necessarily correct. He said he is disappointed that the County has not moved forward more expeditiously on the project. He said he will support advertising the onsite improvement project.

Council Member Hanley stated that he agreed with some of the statements from former Council Member Snyder. However, he said that staff has provided an abundance of information on the project. He said the Council has constantly been open to the regional idea. He said the Council passed the Middle Fork resolution six months ago and the County has not had the courtesy to respond. He said the regional plant is a good solution, but favored going forward with advertising at this point.

Council Member Nesbitt stated that he concurred with many of Mr. Snyder's comments, but also concurred with Council Member Hanley. He said he felt the proposed resolution should be amended to state that any money saved on the local plant should be put towards the regional solution. He said it would demonstrate that the City is willing to continue working towards a regional plant.

Council Member Powers said the City of Lincoln and Placer County are waiting for the City of Auburn to make a decision. She said that currently there are no agreements in place or ongoing conversations leading toward the regional solution. She said she supported improving the local plant, possibly buying some capacity for the trunk line, and not eliminating the possibility of a regional system.

Council Member Kirby said, as a member of the Regional Wastewater Authority, he has spent a great deal of time on the issue of the regional



system. He said that the regional concept is the best idea. However, he said there are multiple problems with that solution at this time. He said there are issues with Placer County as well as financial constraints. He said the City needs to go forward with its plant, keeping other options open for the regional system.

Mayor Holmes stated that a joint powers authority was formed several years ago which included Nevada County. He said Lake of the Pines opted out. He said Colfax is no longer included. He stated his disappointment in Placer County in that it has not shown more leadership in helping to move the project forward. He said he supported advertising for the local plant upgrade. He said it should send a message to the County and other participants that they will lose the opportunity for agency cooperation.

By **RESOLUTION 09-32** direct staff to proceed with conventional financing for the onsite wastewater treatment plant. **MOTION: Hanley/Nesbitt/Approved 5:0**

By **MOTION** authorize advertising of the onsite wastewater treatment plant improvement project. **MOTION: Hanley/Nesbitt/Approved 5:0**

By **MOTION** bring back to the Council at an appropriate time the amount of potential savings from the onsite construction and whether the savings can be used to buy capacity in the Lincoln plant. **MOTION: Hanley/Nesbitt/Approved 5:0**

14. **Cost Savings Plan for City Council, City Manager, Department Directors and Department Managers Consistent with Current Financial Shortfalls**

City Manager Richardson advised that the City has been impacted by the current economic situation. He said he has worked with department directors to cut operating budgets. He said the managers and the elected officials have agreed to reduce their salaries and retirement costs. He said the reductions will commence May 1, 2009 through the end of fiscal year 2010. He said it would save approximately \$150,000.00 annually. He said each quarter meetings with employees will be held to assess the finances of the City.

Mayor Holmes thanked the City Manager and the Administrative Services Director for their efforts and the management team for its participation.

Debbie Nelson, City of Auburn dispatcher, asked that the Council entertain other options to increase the City's revenue. She suggested a half-cent sales tax with a sunset clause.

Dan Sokol, Auburn resident, stated that he applauded the fact the City management and employees came together to help resolve the financial problems.

Council Member Hanley stated that the country is facing the most challenging economic times since the Great Depression. He stated that he appreciated the department managers making personal sacrifices to assist the City. He said the Council has always tried to consider the employees. He said to lay off people is very difficult. He said he appreciated the reduction and leadership shown from the managers.

Council Member Nesbitt also stated that he appreciated the leadership of the managers.

Council Member Powers concurred. She added that she appreciated every employee's hard work after the lay-offs last year.

Council Member Kirby complimented the City Manager on his work to avoid lay-offs. He said added sales tax would make it worse for the City's merchants. He thanked the City Manager and the Council for working together in such a difficult time.

- 1) By **RESOLUTION 09-33** authorize the City Manager or his designee to reduce the current stipend payment for Elected Officials by 10%, beginning May 1, 2009, for the remainder of fiscal year 2008/09 and for all of fiscal year 2009/10, ending on June 30, 2010. **MOTION: Hanley/Nesbitt/Approved 5:0**
- 2) By **RESOLUTION 09-34** authorize the City Manager or his designee to notify CalPERS of proposed changes to the manner by which the employee portion of CalPERS retirement premiums are paid to CalPERS effective May 1, 2009 through June 30, 2010. **MOTION: Hanley/Nesbitt/Approved 5:0**
- 3) By **RESOLUTION 09-35** authorize the City Manager or his designee to amend Department Directors Agreements to reflect a reduction in salary of 10% beginning May 1, 2009 through June 30, 2010. **MOTION: Hanley/Nesbitt/Approved 5:0**
- 4) By **RESOLUTION 09-36** authorize the City Manager or his designee to reduce Department Managers salaries by 10% beginning May 1, 2009, for the remainder of fiscal year 2008/09 and all of 2009/10, ending on June 30, 2010. **MOTION: Hanley/Nesbitt/Approved 5:0**

- 5) By **RESOLUTION 09-37** amend the City Manager's contract to reflect a reduction in salary of 10%, beginning May 1, 2009, for the remainder of fiscal year 2008/09 and all of 2009/10, ending on June 30, 2010. **MOTION: Hanley/Nesbitt/Approved 5:0**
- 5) By **RESOLUTION 09-38** authorize the City Manager to implement the Cost Savings Plan for CalPERS employee contributions and Mandatory Time Off provisions, consistent with all applicable laws and regulations. **MOTION: Hanley/Nesbitt/Approved 5:0**

#### **ADJOURNMENT**

Mayor Holmes, without objection, adjourned the meeting at 8:30 p.m.

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J. M. Holmes, Mayor

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Joseph G. R. Labrie, City Clerk



## CITY COUNCIL MINUTES

April 6, 2009

### REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, April 6, 2009 at 6:00 p.m. with Mayor J. M. Holmes presiding and City Clerk Joseph G.R. Labrie recording the minutes.

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL:

**Council Members Present:** Keith Nesbitt, Kevin Hanley, Bill Kirby, J. M. Holmes

**Council Members Absent:** Bridget Powers

**Staff Members Present:** City Manager Robert Richardson, Public Works Director Jack Warren, Engineering Division Manager Bernie Schroeder

1. **Public Comment**

None

2. **Agreement with Summer Ridge Subdivision Developer**

Public Works Director Jack Warren explained that work on two small subdivisions started just before the economy plummeted. He said in the meantime Oakridge Way has deteriorated. He said the contractor is ready to pave in front of the project and has asked for assistance. He said it has been agreed that one half of the road is the City's responsibility and that the City would participate in the reconstruction, except for the overlay portion. He said a partnership, a fair-share arrangement, amounting to about \$20,000 is recommended. Mr. Warren said funds are available for the project.

By **RESOLUTION 09-39** authorize the Director of Public Works to contribute funds to the developer to reconstruct the southbound travel lane on Oakridge Way fronting the Summer Ridge subdivision project in an amount not to exceed \$20,502.60. **MOTION: Hanley/Kirby/**  
**Approved 4:0 (Absent Powers)**

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By **MOTION** adjourn to a Closed Session under Government Code Section 54957:6 **MOTION: Nesbitt/Hanley/Approved by Voice**

- (1) **CONFERENCE WITH LABOR NEGOTIATORS**  
Agency Designated Representatives: Robert Richardson  
Employee Group: All Bargaining Units
- (2) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
G.C. 54956.8

Property: Parcel Nos. 038-150-002,006,007 & 038-250-014  
Agency  
Negotiator: Robert Richardson, City Manager  
Negotiating  
Parties: City of Auburn, Costco, Inc.

Under Negotiation: Price and Terms of Payment

#### **REPORT OUT OF CLOSED SESSION**

No reportable action.

#### **ADJOURNMENT**

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J. M. Holmes, Mayor

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Joseph G. R. Labrie, City Clerk

## **CITY COUNCIL MINUTES**

**April 13, 2009**

### **REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, April 13, 2009 at 6:00 p.m. with Mayor J. M. Holmes presiding and City Clerk Joseph G.R. Labrie recording the minutes.

#### **CALL TO ORDER**

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL:**

**Council Members Present:** Keith Nesbitt, Kevin Hanley, Bill Kirby, Bridget Powers, J. M. Holmes

**Council Members Absent:** None

**Staff Members Present:** City Attorney Michael Colantuono, Community Development Director Will Wong, Senior Planner Reg Murray, Fire Chief Mark D'Ambrogi, Public Works Director Jack Warren, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Administrative Manager Joanna Belanger, Police Chief Valerie Harris

#### **MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS**

Mayor Holmes presented the following:

Proclamation: Patriots' Day  
Proclamation: West Nile Virus and Mosquito & Vector Control Awareness Week April 20-24, 2009  
Proclamation: Youth Temperance Education Week April 19 through 25, 2009  
Proclamation: National Crime Victims Rights Week April 26 through May 2, 2009  
Proclamation: Child Abuse Prevention Month, April 2009  
Commendation: Placer High School Snowboarding Team

Mayor Holmes announced that the City Council had sent a letter to the Governor regarding septic tank inspections. He said a letter has been received from the State Water Resources Control Board advising that the regulations will be revised. He said that there is legislative action pending on the issue.

Mayor Holmes stated that he, Council Member Hanley and Fire Chief D'Ambrogi met with representatives of the Bureau of Reclamation regarding fire safety in the area. He said a letter has been received expressing the Bureau's desire to work closely with the community, particularly in regard to the shaded fuel break project.

Mayor Holmes announced that on the 30<sup>th</sup> of April the Mayor's Prayer Breakfast will be held at Parkside Church at 7:00 a.m.

## **AGENDA APPROVAL**

The agenda was approved as presented by consensus of the Council.

## **CONSENT CALENDAR**

### **1. Warrants**

By **RESOLUTION 09-40** ratify and approve payment of warrants 71744 through 72178 totaling \$2,422,726.60.

### **2. Minutes**

Item removed for discussion to follow Consent Calendar.

### **3. Approval of Service Contract for Citywide Pre-employment Background Investigations**

By **RESOLUTION 09-41** approve the services contract with Morello Investigations Services for pre-employment background investigations to be conducted on all prospective new hires for the City.

### **4. Disadvantaged Business Enterprise Program**

Item removed for discussion to follow Consent Calendar.

### **5. Transit Security Grant Program – Prop 1B**

By **RESOLUTION 09-43** authorize the Director of Public Works and/or Engineering Division Manager to submit and execute on behalf of the City of Auburn a grant application for the California Transit Security Grant Program.

### **6. Agreement with Pacific Gas & Electric for East Area Hangar Project**



By **RESOLUTION 09-44** authorize the Director of Public Works to execute the agreement with Pacific Gas & Electric for the East Area Hangar Project.

7. **Placer County Wise Road Bridge Replacement – Highway Easement**

By **RESOLUTION 09-45** authorize the Director of Public Works to execute the highway easement with Placer County for the Wise Road Bridge.

8. **Wastewater Treatment Plant Groundwater Monitoring – Professional Service Agreement BSK Associates**

By **RESOLUTION 09-46** authorize the Director of Public Works to execute the contract with BSK Associates to perform groundwater monitoring at the Wastewater Treatment Plant.

9. **Amendment of Auburn Municipal Airport Land Leases (Lot 27 and Portion of Lot 28) – Estes Family Trust**

By **RESOLUTION 09-47** authorize the City Manager or his designee to execute amendments to the Auburn Municipal Airport Industrial Park Land Lease Agreements for a Lot 27 and Lot 28A between the City of Auburn and the Estes Family Trust.

10. **Acceptance of Homeland Security Grant Funds**

By **RESOLUTION 09-48** ratify and approve the Auburn Police Department's installation of two in-car camera systems with supporting software/ hardware for a cost no greater than \$26,580.00; 100% of project costs will be paid for by the Department of Homeland Security Grant monies pending installation of the system.

\*\*\*\*\* End of Consent Calendar \*\*\*\*\*

By **MOTION** approve the consent calendar with the exclusion of Items 2 and 4. **MOTION: Nesbitt/Hanley/Approved 5:0**

2. **Minutes**

Council Member Hanley noted that the minutes of March 9, 2009, Item 10, showed a figure of \$5000 which should have read \$500,000.00 to build a classroom module for the Boys & Girls Club.

By **MOTION** approve City Council minutes of March 9 2009, as corrected, and the minutes of March 17, 2009. **MOTION: Hanley/Nesbitt/ Approved 5:0**

4. **Disadvantaged Business Enterprise Program**

Council Member Nesbitt asked if the Request for Proposals had to be printed in two languages to meet the standards. Public Works Director Warren advised that the City does not have that obligation. He asked if the use of "potential prime contractors" was meant to be statewide. Mr. Warren advised that "it is a matter of good judgment," which would include the Sacramento area. Council Member Nesbitt said he was simply interested in how much staff time would be involved in the preparation.

Council Member Kirby opposed government documents that require printing in two languages.

Council Member Hanley stated that he would support the measure. However, he said that it demonstrated problems at the State level since it is supposed to be a race-neutral way of awarding contracts. He said when Proposition 209 was passed, it was intended to treat everyone the same based on merit. He said CalTrans now wants to set contract goals by race. He said he felt it was a bad policy, but in order to bring funds into the City, he would go along with it.

By **RESOLUTION 09-42** authorize the City Manager to execute the Disadvantaged Business Enterprise (DBE) Implementation Agreement.  
**MOTION: Nesbitt/Hanley/Approved 4:1 (Abstain Kirby)**

11. **Public Comment**

None

**REPORTS**

12. **Technical Rock Climbing**

Gordon Ainsleigh announced that the members of the Board of Directors of Climbing Resource Advocacy of Greater Sacramento (CRAGS) were in attendance. He said he is an Auburn area business owner. He said, "We need to bring climbers' money into Auburn." He said it would also help the level of fitness and health of the people. He said Board Chairman Brian Paulson would be giving the majority of the presentation.

Mr. Paulson said CRAGS has a great interest in the community. He said CRAGS is a non-profit organization to protect rock-climbing access on both public and private land. He said CRAGS wanted the Council to understand the financial benefits to local businesses and the City of Auburn. He said the presentation would provide Council with the history of climbing in the

of climbing in the Auburn State Recreation Area. Mr. Paulson asked for the support of the Council to have climbing "unrestricted and recognized in the Auburn State Recreation Area." He said several members of the Board would speak about particular issues.

Gordon Ainsleigh spoke about the economic benefits to the community. Renee Ross spoke about the climbing population and other climbing events that have the potential to help the area's economy. Victor Copeland spoke about some of the special events that could provide additional economic contributions to the Auburn area. Aaron Rough provided history of climbing in the Auburn State Recreation Area. Gordon Ainsleigh concluded the presentation with a request to the Council to encourage, through the proposed resolution, the Bureau of Reclamation and State Parks, in an accelerated process, to allow climbing in the Auburn State Recreation Area.

Mayor Holmes advised that the consensus of the Council will determine if the resolution will be brought before the Council for formal action at a later meeting.

Council Member Hanley asked for the target date CRAGS would present to the State an interim climbing management plan. Mr. Ainsleigh advised that three to four weeks would be a reasonable amount of time.

Council Member Kirby asked CRAGS representatives to explain their concern for landowners. Mr. Paulson said that Bob Houston provided landowners with State law that gave protection to the landowners to eliminate their liability.

Mayor Holmes said he would like to see the issue brought back to the Council for a vote. He suggested the first meeting in May to revisit the issue. He asked that Mr. Ainsleigh review the resolution to possibly make it a little shorter.

Council Member Powers said before making a final decision, she would like to see the climbing management plan. Mayor Holmes told the representatives to let the City know when they are ready to present the plan.

Council Member Nesbitt asked that the resolution be placed on the first agenda in May as a consent item. He asked that it be expedited in order "to substantiate our claim of the Endurance Capital of the World."

Council Member Hanley stated that he agreed with Council Member Nesbitt. He said it is a good idea, consistent with boosting business in the area.

Council Member Kirby said he would strongly encourage the recreational use of the canyon area.

13. **City Council Committee Reports**

Mayor Holmes said that the SED Corp held a meeting in Nevada City. An update on tourism in that community was presented. He said SED Corp may want to host a wastewater forum. He said he sent a letter to the Auburn-Placer Performing Arts group asking if it would be interesting in hosting a traveling film festival that began in Canada.

Mayor Holmes said the Placer County Air Pollution Control Board met the past week and approved 1.5 million dollars in clean air grants. He said that the City did not qualify for any of the grants. He said that next year the City may possibly be able to obtain a grant for bicycle-related issues, such as bike racks.

Council Member Nesbitt advised that the Youth Advisory Commission is preparing for its May presentations on water conservation. He reminded everyone that the Auburn-Placer Performing Arts Center is having a special event on April 26<sup>th</sup>.

Council Member Powers announced vacancies on the Auburn Arts Commission. She said the Commission is seeking applicants that are interested in assisting with the streetscape design. She said in July the Youth Advisory Commission will be displaying student art at City Hall.

Council Member Kirby said he is working with the business associations and the Chamber to coordinate the possibility of shuttle service during the May Home Show, Endurance Expo and the Antique Fair in Old Town.

**COUNCIL BUSINESS**

14. **Annual Business Improvement Districts (BID) Report Review and Resolution of Intention for Assessment for Fiscal Year 2009-2010**

Administrative Manager Joanna Belanger presented the report. She explained the required Council action. She said Ty Rowe from the Old Town Business Association and Rebecca Toedter from the Downtown Business Association were in attendance to answer any question that the Council may have. She said there will be no changes from last year in the proposed fees.

Ty Rowe, President of the Old Town Business Association, advised that the majority of the plan presented last year was completed. He said the

association is "running in the black," a business directory and website has been completed, 95% of the lighting project is finished, garbage receptacles have been installed throughout the district, and the Old Town Business Association (OTBA) is working more with the Downtown Business Association (DBA), the County Visitors' Board and the Chamber in marketing the area. He said the decisions for projects for the next year will be left for the new Board, taking office in June. He advised that OTBA membership has substantially increased.

Rebecca Toedter, Downtown Business Association representative, advised that one of the association's events was to join with Old Town for the Wine and Food Festival. She said the associations join to present the Country Christmas. She said the two organizations coordinate information with regard to the streetscape. She said the ongoing lighting program will be continued this year. She said Downtown also has 89 businesses involved in the Safe Trick-or-Treat Program. She said the DBA also provides free photos with Santa, and teddy bears at the Festival of Lights Parade for the children. She advised that they also continue the flowerpot maintenance program in downtown and help with Leadership Auburn. She said the DBA raised over \$3,000.00 in sponsorship for holiday lighting and over \$10,000.00 for repairing the Clock Tower. She said in the coming year the DBA will be concentrating on marketing strategies with Old Town.

Mayor Holmes advised that City Attorney mentioned that Downtown BID Report should be amended to include the description of the area of the district. City Attorney Colantuono stated that the boundary exhibit provided to the Council should be added to the report when the Council approves the report.

Mayor Holmes stated that the resolution setting a public hearing needs to be corrected. The portion of the title that states, "Proposing an increase to the assessment in connection with the Old Town Business Improvement District," should be deleted. He also said the hearing date should be changed from June 9<sup>th</sup> to June 8<sup>th</sup>.

Council Member Hanley suggested that billboard on I-80 include a website address. Ty Rowe said a proposal has been given to the City Manager to place on the Old Town billboard "Visit Auburn.org" website. He said that the website has all the satellite website links. He said the DBA is working with CalTrans to get the international signs of gas, food and lodging in place. He said CalTrans has not allowed any other signage. Council Member Hanley said he is willing to push for a change in that policy.

By **RESOLUTION 09-49** appoint the City Manager as the Advisory Board for the Old Town BID and direct him to produce the report required

pursuant to Section 36533 of the 1989 Law for Fiscal Year 2009-2010 with respect to the Old Town BID. **MOTION: Powers/Kirby/Approved 5:0**

By **RESOLUTION 09-50** appoint the City Manager as the Advisory Board for the Downtown BID and direct him to produce the report required pursuant to Section 36533 of the Law for Fiscal Year 2009-2010 with respect to the Downtown BID; and approve the Annual Reports as filed by the City appointed Advisory Board for the Old Town and Downtown Associations as amended (Report "I" and "II"). **MOTION: Powers/Kirby/Approved 5:0**

By **RESOLUTION 09-51** set a public meeting and hearing for June 8, 2009 to levy annual assessment fees for fiscal year 2009-2010 for the Old Town BID; and set a public meeting and hearing for June 8, 2009 to levy annual assessment fees for fiscal year 2009-2010 for Downtown BID. **MOTION: Powers/Kirby/Approved 5:0**

15. **Agreement with the Auburn 49er Lions Club to provide Voluntary Clean-up and Gardening Services for the Auburn School Park Preserve**

Administrative Manager Joanna Belanger advised that the Lions Club members were unable to attend the meeting due to a Board meeting. She said club members approached the Council a few months ago to ask if they could adopt the School Park Preserve. She said the Lions Club has taken the responsibility for clean-up work and weeding since that time.

By **RESOLUTION 09-52** authorize the City Manager to execute an agreement with the Auburn 49er Lions Club to provide voluntary clean-up and gardening services for the Auburn School Park Preserve. **MOTION: Hanley/Powers/Approved 5:0**

16. **Appointments to the Greater Auburn Area Fire Safe Council (GAAFSC)**

Council Member Hanley advised that the action before the Council was to update the Memorandum of Understanding (MOU) between Placer County and the City governing appointments to the Fire Safe Council. He said it was decided to have eight civilian appointees, four each appointed by the City and the County. He said that would provide a liaison relationship with the fire agencies. He said the Mayor and the Chair of the Board will sign the MOU.

By **MOTION** approve the updated Memorandum of Understanding with Placer County that governs appointments to the Greater Auburn Fire Safe Council. **MOTION: Nesbitt/Hanley/Approved 5:0**

17. **Auburn Municipal Airport East Area Hangars Ground Lease – Auburn East Hangars Row “Charlie” Owners, an Unincorporated Association**

Administrative Services Director Andy Health introduced the item. He said it is recommended to approve a 40-year lease with the third group of individuals at the airport, associated with the East Hangar project.

Mark Machado, the City's airport consultant for the East Hangar project, advised that this is the third lease in a series. He said this lease is for a group made up of an association of people that were on the “wait list” at the Auburn Airport for about ten years. He said the group is registered with the California Secretary of State and has an established bank account. He said the association is a viable entity with a constitution and a set of bylaws. He advised that the City Attorney had reviewed all documents.

Mayor Holmes questions followed regarding the number of rows available to be leased and the Council's prior approval for PG&E to bring power to the site.

By **RESOLUTION 09-53** authorize the City Manager or his designee to execute a 40-year ground lease between the City of Auburn, a Municipal Corporation, and Auburn East Hangars Row “Charlie” Owners, an unincorporated association. **MOTION: Nesbitt/Hanley/Approved 5:0**

**ADJOURNMENT**

Mayor Holmes, without objection, adjourned the Council meeting at 7:25 p.m. to the meeting of the Auburn Urban Development Authority.

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J. M. Holmes, Mayor

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Joseph G. R. Labrie, City Clerk





## CITY COUNCIL MINUTES

April 16, 2009

### SPECIAL SESSION

The Special Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Thursday, April 16, 2009 at 5:30 p.m. with Mayor J. M. Holmes presiding and City Clerk Joseph G.R. Labrie recording the minutes.

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL:

**Council Members Present:** Keith Nesbitt, Kevin Hanley, Bill Kirby, Bridget Powers, J. M. Holmes

**Council Members Absent:** None

**Staff Members Present:** City Manager Robert Richardson

#### 1. Public Comment

None.

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By **MOTION** adjourn to a Closed Session under Government Code Section 54957:6 **MOTION: Nesbitt/Kirby/Approved by Voice**

#### (1) **CONFERENCE WITH LABOR NEGOTIATORS**

Agency Designated Representatives: Robert Richardson  
Employee Group: All Bargaining Units

#### (2) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

G.C. 54956.8

Property: Parcel Nos. 038-150-002,006,007 & 038-250-014

Agency

Negotiator: Robert Richardson, City Manager

Negotiating

Parties: City of Auburn, Costco, Inc.

Under Negotiation: Price and Terms of Payment

(3) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
G.C. 54957

Title: City Manager

**REPORT OUT OF CLOSED SESSION**

No reportable action.

**ADJOURNMENT**

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J. M. Holmes, Mayor

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Joseph G. R. Labrie, City Clerk